

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

---

NICOLE GIAIMO and DANIELLE )  
GIAIMO, )

)  
Plaintiffs, )

v. )

) **CASE NO.: 3:12-cv-06962-FLW-TJB**

ROYSTON ROBIN, MATTHEW )  
FLESCH and LIBERTY MARKETING )  
SYSTEMS, LIMITED LIABILITY )  
COMPANY D.B.A. LIBERTY MUSIC )  
GROUP )

~~PROPOSED~~ **ORDER FOR  
DEFAULT JUDGMENT**

Defendants.

---

Jason Daniel Stone (JS7828)  
Stone Law, P.C.  
5 Professional Circle, Suite 110  
Colts Neck, NJ 07722  
(732) 444-6303  
jstone@stoneslaw.net

**RECEIVED**

**JUL 18 2013**

AT 8:30                      M  
WILLIAM T. WALSH CLERK

---

**DECREE AND JUDGMENT ORDER**

This Court having heard the Motion for Default Judgment of Plaintiffs, Nicole Giaimo and Danielle Giaimo by their attorney, Jason Daniel Stone, it appearing that due notice of the pendency of the Complaint has been given to Defendant Royston Robin on November 12, 2012, to Defendant Matthew Flesch on November 21, 2012, and Defendant Liberty Marketing Systems, Limited Liability Company D.B.A. Liberty Music Group, hereinafter referred to as "Liberty Music", on January 11, 2013 by process servers and more than

thirty days have now elapsed since the service of the Summons on the Defendants, and that the Defendants have failed to file appearances or otherwise plead to the Complaint;

And it appearing from the record that the Plaintiffs filed a Motion for Judgment by Default against the Defendants;

This cause coming to be heard on the Complaint of the Plaintiffs and the Motions of Plaintiffs for an Order of Default and for Entry of Default Judgment.

The Court having considered the Complaint and the Affidavits of Jason Daniel Stone and Plaintiffs' Memorandum in Support of Motion for Entry of Default Judgment, and being fully advised in the premises,

The Court finds, and it is ordered, adjudged and decreed as follows:

1. The Complaint is taken as confessed against Defendants Royston Robin, Matthew Flesch, and Liberty Music.
2. Plaintiffs Nicole and Danielle Giaimo are the owners of the copyright in and to the motion picture entitled "Ellen make us your PA's! The Giaimo Twins."

3. The content of the motion picture constitutes, a new and original motion picture; the composition was duly copyrighted pursuant to the laws of the United States, and a certificate of copyright registration for the motion picture was duly issued by the Register of Copyrights; all as is alleged in the Complaint.

4. Defendant Royston Robin at all times was, and still is, owner of Liberty Music at all times mentioned, with primary responsibility for the control, management, operation and maintenance of the affairs of the corporation, and the acts complained of were done with their active assistance, cooperation, acquiescence and procurement.

5. Since the copyrighting of the respective motion picture set forth in the respective causes of action in the Complaint, Defendants Royston Robin, Matthew Flesch, and Liberty Music, without the knowledge or consent of the Plaintiffs, infringed and violated the copyright and the exclusive rights of the Plaintiffs to reproduce, perform, transmit, copy, use or otherwise exploit the Motion Picture for profit by placing the Motion picture on their YouTube page on September 20, 2012, and on their website on or about October 3, 2012, as is alleged in the Complaint.

6. Defendants have, since September 20, 2012, repeatedly ignored the demands Plaintiffs to cease and desist infringement of the Motion Picture.

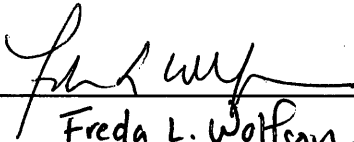
7. That the Defendants Royston Robin, Matthew Flesch, and Liberty Music, their agents, employees, and all other persons in active concert or privity or in participation with them be perpetually enjoined and restrained from directly or indirectly infringing plaintiffs' copyright in the Motion Picture or from continuing to market, offer, sell, dispose of, license, lease, transfer, display, advertise, reproduce, develop, or manufacture any works derived, copied, and/or sampled from the Motion Picture, in whatever medium, or to participate or assist in any such activity. Further that the Defendants immediately cease and desist from any further recording, reproduction, distribution, transmission, or other use of the Motion Picture.

8. That the Defendants Royston Robin, Matthew Flesch, Liberty Music, and all their representatives, agents, servants, employees, officers, directors, partners, attorneys, subsidiaries, and all persons under their control or acting in active concert or participation with them, to immediately post a notice on the Web site of each defendant stating that the prior use of the Motion Picture was unauthorized and illegal.

It is further ordered:

9. That the Plaintiffs Nicole and Danielle Giaimo recover from Defendants Royston Robin, Matthew Flesch, and Liberty Music the sum of \$150,000 in the first cause of action set forth in the Complaint, as statutory damages sustained by Plaintiff as a result of Defendants' unlawful acts.

Dated: 7/18/13

  
Hon. ~~Tonianna J. Bongiovanni~~ Freda L. Wolfson U.S.D.J.  
~~Magistrate Judge~~  
United States District Court  
District of New Jersey